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Docket No. KIYO-44

ATTN: ~~CHERYL~~ JACKSON TYLER OR CURRENT HEAD OF GROUP 3753

UNITED STATES DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

Serial No: 10/826,002	)	Confirmation: 9225
	)	
Inventor: Katsuro Tsukamoto	)	
	)	
Filing Date: April 16, 2004	)	
	)	Date: December 28, 2006
TC/A.U.: 3753	)	
Docket KIYO-44	)	
Examiner: Duong, Tho V.	)	
SPE: Tyler, Cheryl Jackson	)	
Title:	)	Priority: Japan 2004-6061
HEAT RELEASE SHEET AND HEAT SINK	)	of (1/13/2004)
	)	Fax: 571 273 8300

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATUS CHECK  
POSSIBLE ACTION NOT RECEIVED

Dear Sir/Madam:

It is practice in my office to sweep the files every 6 months to look for cases for which some action should have been due.

In the above case, my last communication with the PTO was on February 23, 2006. The files check in June of 2006 did not indicate any delay as there had only been four months since my last communication with the PTO. Further, because I had received the office action, and a notice on February 14, 2006, there was every reason to believe that there were no missing communications.

Today, I swept my files and noted that I had not received any communication since my February 23, 2006 submission. I checked public pair and saw an indication that an Ex Parte Quayle action had been sent on 6/6/2006, but had not been received in this office by mail.

I would not have expected my 2/23/06 last communication to be acted on in July and possibly with issue fee papers to follow in September. I therefore would not have expected to receive an action response much before August and thus did not check public pair in June and if my June sweep had occurred over the first days of June the check would have been before the issuance.

Therefore, I did not receive the 6/6/06 action. I also have not received any notice of abandonment or other paper from the PTO. Is it possible that the action was inadvertently left in the files? In any event, I would like to request your help as follows:

- (1) Please re-set the time for responding to the action.
- (2) Please fax or send a copy of the action.
- (3) Since the action is labeled "Quayle", if there are problems which could be handled by phone, could you please call or have the Examiner call in the event that any remaining problems could be worked out as soon as possible.

PLEASE NOTE:

The response filed in March (see page 12) indicates that "This amendment responds to the aforementioned Office Action in a manner which utilizes the Examiner's indications of Allowability". Since the

amendment did not challenge the Examiner (only about one page long), it is clear that I expected the next paper to be the Issue Fee papers. As such, the only response which I was expecting from the PTO was a slightly longer period of time, both to get to the Examiner for consideration and then to get the case through the Issue Process. The timing of this action occurring just days after my files sweep and at a time before I would have expected the issue fee papers is unusual.

Thank you for your help in this matter. I only first became aware of this problem today.

Dated: December 28, 2006 Respectfully submitted:

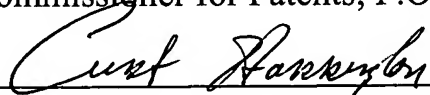


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Docket: KIYO-44

DATE OF DEPOSIT: **December 28, 2006**

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS fax to (571) 273-8300 & by mail to Commissioner for Patents; P.O. Box 1450; Alexandria, VA 22313-1450



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